

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 05076HP**, requested by Schoenleber, Shriner & Hittle on behalf of Forum LEX, Ltd., to designate the former Kappa Sigma Fraternity House at 1141 H Street as a historic landmark.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 11/09/05
Administrative Action: 11/09/05

STAFF RECOMMENDATION: Approval.

RECOMMENDATION: Approval (8-0: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Sunderman and Strand voting 'yes'; Taylor absent).

ASSOCIATED REQUESTS: Special Permit No. 05051 (05R-291)

FINDINGS OF FACT:

1. This proposed landmark designation was heard in conjunction with the associated special permit for office use before the Planning Commission.
2. The staff recommendation of approval is based upon the "*Analysis*" as set forth on p.3, concluding that the designation of the Kappa Sigma House as a Landmark appears to be consistent with the Comprehensive Plan and with Chapter 27.57 of the Zoning Code (Historic Preservation District).
3. The record consists of a letter in support from the Everett Neighborhood Association (p.16).
4. On November 9, 2005, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On November 9, 2005, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval (Taylor absent).
6. On November 9, 2005, the Planning Commission also voted 8-0 to recommend conditional approval of the associated Special Permit No. 05051 for office use (05R-291).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: November 21, 2005

REVIEWED BY: _____

DATE: November 21, 2005

REFERENCE NUMBER: FS\CC\2005\CZ.05076HP

W

DATE: October 27, 2005

PROPOSAL: Schoenleber Shriner & Hittle, on behalf of Forum LEX Ltd., have requested landmark designation for the former Kappa Sigma Fraternity House at 1141 H Street.

CONCLUSION: Designation of the Kappa Sigma House as a Landmark appears to be consistent with the Comprehensive Plan and with Chapter 27.57 of the Zoning Code (Historic Preservation District).

RECOMMENDATION: _____ Approval _____

EXISTING ZONING: R-8 Residential District.

SIZE: 10,650 square feet, more or less.

EXISTING LAND USE: Law offices (basement & first), storage/vacant upper floors.

SURROUNDING LAND USE AND ZONING: R-8 residential to north, east, and west, occupied by high-rise residences to the north (Pioneer House), a church to the east, and an office building and apartments to the west; R-7 residential to the south, occupied by apartments.

HISTORY: Kappa Sigma Fraternity developed this building in 1924, from designs by leading Omaha architects McDonald & McDonald, and occupied it until moving to the UNL campus in 1955. The building has been used as law offices since 1977 under pre-existing Special Permit 677.

UTILITIES: This area is served by all City utilities.

PUBLIC SERVICE: This area is served by all City public services.

The former fraternity house is a well-designed building of quality materials, with the appearance of a substantial residence set in a residential front yard. It is a unique asset to the very diverse architecture of this area, ranging from the 1880s row houses at 11th & H (Barr Terrace and Lyman Terrace, listed on National Register), to the fine mid-twentieth century Trinity Lutheran Church, to apartment houses built throughout the 20th century.

Landmark designation does not change the permitted uses in the R-8 residential district; the building already has a special permit to use the basement and first floor (only) as law offices; and

accompanying request for a landmark special permit would allow full utilization of the building for law offices.

ANALYSIS:

1. Lincoln Municipal Code, section 27.57.120 provides for designation of landmarks that are *“Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States”* or that *“Represent a distinctive architectural style or innovation...”*
2. The Historic Preservation Commission held a public hearing on this matter and voted unanimously to recommend that the former Kappa Sigma Fraternity House be recognized as a Lincoln Landmark for its architectural character as the only Lincoln work by McDonald and McDonald of Omaha (architects of Joslyn Castle and Joslyn Museum) and as an embodiment of part of the off-campus story of “Greek” chapter houses in Lincoln.
3. Preservation guidelines for the proposed landmark are attached. They are based on the typical Lincoln landmark guidelines.
4. The application is enclosed.
5. The 2025 Comprehensive Plan includes a strategy to “Continue efforts to inventory, research, evaluate and celebrate the full range of historic resources throughout Lancaster County, collaborating with individuals, associations, and institutions, and designating landmarks and districts through the local preservation ordinance and the National Register of Historic Places.”

Prepared by:

Edward F. Zimmer, Ph.D.
Historic Preservation Planner

APPLICANT: Schoenleber Shriner & Hittle, architects
123 S. 84th Street, Ste A
Lincoln, NE 68510
(402)483-2893

OWNER: Forum LEX Ltd.
1141 H Street
Lincoln, NE 68508
(402)476-2487

CONTACT: Pat Birch, AIA
123 S. 84th Street, Ste A
Lincoln, NE 68510
(402)483-2893



**CHANGE OF ZONE NO. 05076HP
and
SPECIAL PERMIT NO. 05051**

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

November 9, 2005

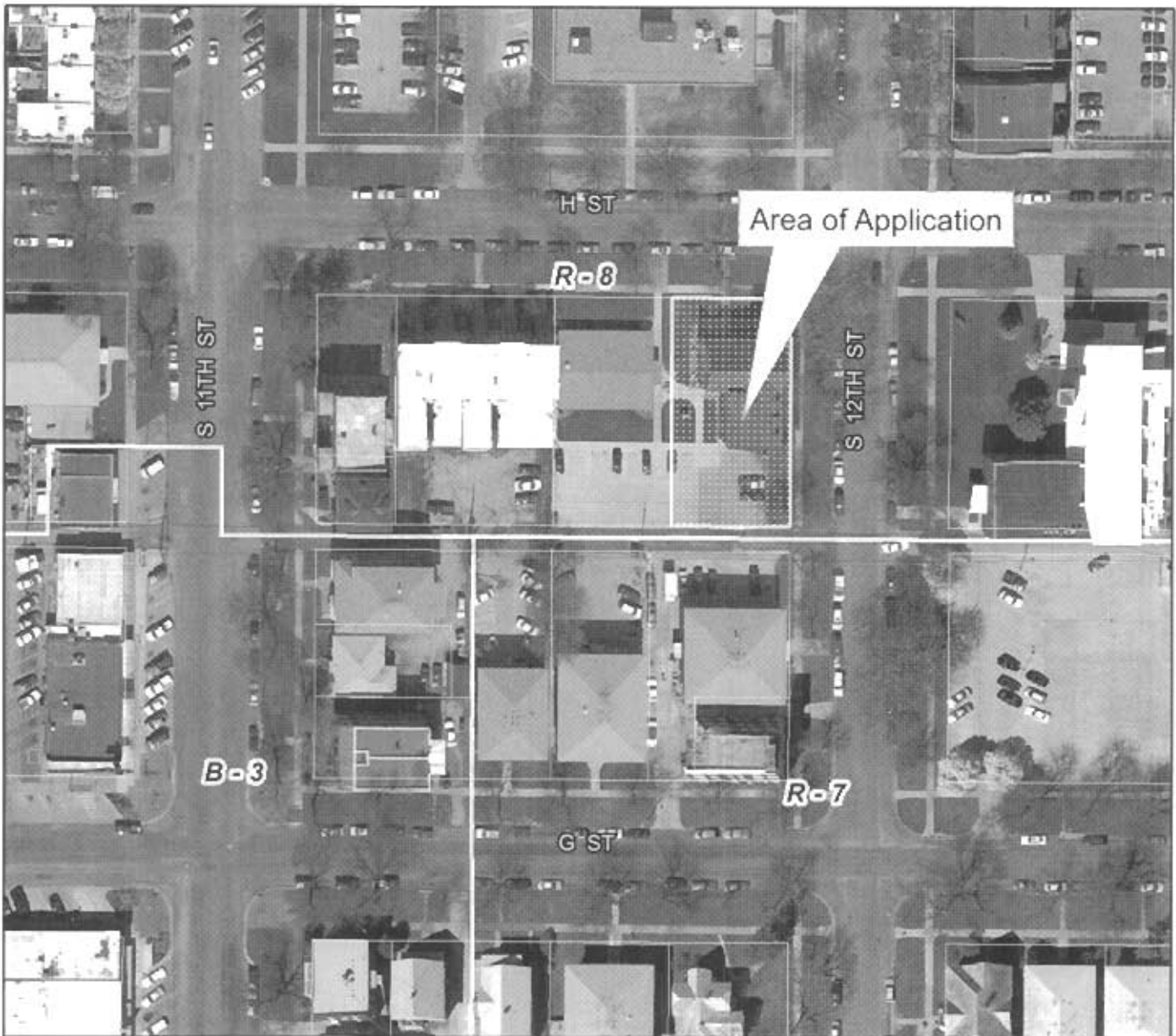
Members present: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Sunderman and Strand;
Taylor absent.

The Consent Agenda consisted of the following items: **SPECIAL PERMIT NO. 05052; CHANGE OF ZONE NO. 05076HP; SPECIAL PERMIT NO. 05051; USE PERMIT NO. 33D; COUNTY FINAL PLAT NO. 05106, THE PRESERVE AT CROSS CREEK 2ND ADDITION; COUNTY FINAL PLAT NO. 05107, WENDELIN ESTATES; and STREET AND ALLEY VACATION NO. 05009.**

Ex Parte Communications: None.

Strand moved to approve the Consent Agenda, seconded by Krieser and carried 8-0: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Sunderman and Strand voting 'yes'; Taylor absent.

Note: This is final action on Special Permit No. 05052, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



2005 aerial

Change of Zone #05076HP & Special Permit #05051 1141 H St.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 26 T10N R6E



006

APPLICATION FOR LANDMARK OR LANDMARK DISTRICT DESIGNATION
ADDENDUM TO PETITION TO AMEND THE ZONING ORDINANCE
LINCOLN, NEBRASKA

1. NAME

Historic
and/or Common
NeHBS Site #

Kappa Sigma Fraternity House

LC13:C8-336

2. LOCATION

Address 1141 H St, Lincoln NE, 68508

3. CLASSIFICATION

Proposed Designation

 Landmark District

 x Landmark

Category

 district

 x building(s)

 structure

 site

 object

Present Use

 x educational

 x other (fraternity house)

4. OWNER OF PROPERTY

Name

Forum Lex LTD

Address:

1141 H St Lincoln NE, 68508

5. GEOGRAPHICAL DATA

Legal Description

Original Plat Block 148, Lot 1 & E ½ Lot 2, Lincoln,
Lancaster County, Nebraska.

Number of Acres or Square Feet: **less than one acre**

6. REPRESENTATION IN EXISTING SURVEYS

Title **Historic and Architectural Site Survey of Lincoln, NE**

Date 2005

 State

 County

 x Local

Depository for survey records: Lincoln/Lancaster County Planning Dept., 555 S. 10th Street,
Lincoln, NE 68508

Is proposed Landmark or Landmark District listed in the National Register?

 X no, but is listed as contributor to Everett Landmark District, 1998

7. DESCRIPTION AND HISTORY

Condition

<input type="checkbox"/> excellent	<input type="checkbox"/> deteriorated	<input type="checkbox"/> unaltered	<input checked="" type="checkbox"/> original site
<input checked="" type="checkbox"/> good	<input type="checkbox"/> ruins	<input type="checkbox"/> altered	<input type="checkbox"/> moved date <input type="text"/>
<input type="checkbox"/> fair	<input type="checkbox"/> unexposed		

DESCRIPTION:

Kappa Sigma Fraternity House is an example of Period Revival/"Jacobethan" architectural style within the Everett Local Landmark District. The house was created by architects John and Alan McDonald and constructed by W.J. Assenmacher for the Kappa Sigma Building Association in 1924-25. The 1924 building permit lists the estimated cost of construction at a \$35,000.

The brown brick house consists of a two-and-one-half-story side gable main massing with a two-and-one-half-story back wing. The roof is unusually steep in character. Characteristic elements of the Period Revival /Jacobethan style are the steep gable roofs, the Flemish bond brickwork with wasters added for texture, and the stone trim, especially the label moulds over the windows.

The house is dominated by the large chimney on the east portion of the front facade. The house has a stone casing surrounding the arched front door. Stone casings also surround all of the building's windows.

HISTORY:

The University of Nebraska-Lincoln Chapter of Kappa Sigma was founded in 1916. The fraternity was housed in the previous building located at the 1141 H St address from 1917 through 1923. As the current house was being constructed, the fraternity was housed at 1237 R St. Kappa Sigma relocated to a new house at 519 N 16th St in 1955 and is listed as a non-contributing structure in the Greek Row Historic District that was established in 1997. The Kappa Sigma building association sold that house to the Triangle Fraternity in 2003.

The father and son architect team of John and Alan McDonald contributed numerous prominent buildings in the Omaha area for over 50 years. John McDonald is credited with the George Joslyn castle, the Joslyn Art Museum, the First Unitarian Church and the Hill Hotel. Their predominant style was the Period Revival style, within which they created a wide range of buildings from the Colonial Revival church to the Egyptian/Art Deco museum.

8. SIGNIFICANCE

<u>Period</u>	<u>Areas of Significance-Check and justify</u>	
<input type="checkbox"/> prehistoric	<input type="checkbox"/> archeology-prehistoric	<input type="checkbox"/> landscape architecture
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> archeology-historic	<input type="checkbox"/> law
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> agriculture	<input type="checkbox"/> literature
<input type="checkbox"/> 1600-1699	<input checked="" type="checkbox"/> architecture	<input type="checkbox"/> military
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> art	<input type="checkbox"/> music
<input type="checkbox"/> 1800-1899	<input type="checkbox"/> commerce	<input type="checkbox"/> philosophy
<input checked="" type="checkbox"/> 1900-	<input type="checkbox"/> communications	<input type="checkbox"/> politics/government
	<input type="checkbox"/> community planning	<input type="checkbox"/> religion
	<input type="checkbox"/> conservation	<input type="checkbox"/> science
	<input type="checkbox"/> economics	<input type="checkbox"/> sculpture
	<input checked="" type="checkbox"/> education	<input type="checkbox"/> social/humanitarian
	<input type="checkbox"/> engineering	<input type="checkbox"/> theater
	<input type="checkbox"/> exploration/settlement	<input type="checkbox"/> transportation
	<input type="checkbox"/> industry	<input type="checkbox"/> other (specify)
	<input type="checkbox"/> invention	

Specific dates: 1924

Builder/Architect: John and Alan McDonald (architects), M.J. Assenmacher(contractor)

Statement of Significance:

Kappa Sigma Fraternity House is locally significant as the only known Lincoln work by the prominent Omaha architects McDonald and McDonald. It is also unusual as a Period Revival fraternity house of the 1920s not built within Greek Row adjacent the UNL campus on R and N. 16th Streets, instead reflecting the earlier tradition of locating Greek chapter houses off-campus, typically near to and south of the Capitol.

9. STANDARDS FOR DESIGNATION

(Check one(s) that apply)

- ☒ Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States;
- ☒ Represents a distinctive architectural style or innovation, or is the work of a craftsman whose individual work is significant in the development of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States; or
- ☐ Represents archeological values in that it yields or may be likely to yield information pertaining to pre-history or history.

10. MAJOR BIBLIOGRAPHICAL REFERENCES

Lincoln Building permit 12319; City Permit Application original plans

A Comprehensive Program for Historic Preservation in Omaha, Omaha City Planning Dept. 1980.

11. FORM PREPARED BY:

Name/Title: by David A Gaspers, Lincoln/Lancaster County Planning Dept.

Organization:

Date Submitted: 09/12/05

Street & Number 1141 H St(68508)

Telephone (402)441-6360
(EZimmer)

City or Town Lincoln

State Nebraska

Signature_____



Kappa Sigma



from 1927 "Cornhusker" (UNL yearbook)



from 1932 "Cornhusker" (UNL yearbook)

**PRESERVATION GUIDELINES FOR
Former Kappa Sigma Fraternity House
1141 H Street**

1. Architectural Review of Landmark:

- a. Photographs: On file in Planning Department.
- b. Important architectural features: Two-and-half-story, vertically oriented design with steep gable roofs—end-gable over main wing, lower gable perpendicular to main roof, over rear wing; rough brickwork in Fleming bond and stone trim; pilastered chimney on north facade.
- c. Important landscape features: Corner lot with border hedge at sidewalk, mature street trees.
- d. Architectural style and date: Period Revival/Jacobethan, 1924.
- e. Additions and modifications: Removal of shed dormers from north pitch of main roof, mono-pane windows in ground floor, modifications and blocking of attic windows. The majority of the building's exterior materials remain intact from the time of construction.

2. Notice of Work Needing Certificate:

- A. A Certificate for Certain Work can be granted by the Preservation Commission or, in certain instances, by the Director of Planning. The application for the Certificate can be obtained from and should be filed with the Building and Safety Department. The following work to be conducted on the Landmark requires the procurement of a Certificate for Certain Work:
 - 1. Exterior work requiring a Building Permit as defined in the Lincoln Building Code. Before conducting exterior work, check with the City Building and Safety Department to determine whether a Building Permit is necessary;
 - 2. Demolition of a structure or portion of a structure as defined in the Lincoln Building Code;
 - 3. Work involving:
 - a. Removal of healthy trees over 12" caliper;
 - b. Addition of paving materials north of building;
 - c. Addition of fencing and walls visible from H Street or S. 12th Street;
 - d. Replacement of exterior material and trim or visible roofing materials;
 - e. Cleaning and maintenance of exterior masonry;
 - f. Replacement of doors, storm doors, door frames, windows, storm windows, and screens (excluding seasonal) on facades visible from the street;
 - g. Addition of awnings;
 - h. Placement of mechanical systems, such as but not limited to, window air conditioners, solar collectors, etc. on facades visible from H Street or S. 12th Street
 - i. The addition or replacement of signs;
 - j. Moving structures on or off the site;
 - k. Installation of electrical, utility, and communications services on principal (north and east) facades;
 - l. Placement of high intensity overhead lighting, antennae, and utility poles within the

areas of the north or east facades.

- B. The following work to be conducted on the Landmark does not require the procurement of a Certificate for Certain Work:**
1. Changes involving routine maintenance and repair for the general cleaning and upkeep of the building but which include no direct physical change in design or material;
 2. Changes involving color and landscaping, except as previously noted;
 3. Interior changes involving no exterior alteration.
- C. The penalty upon conviction for conducting work which requires a Certificate for Certain Work without procuring the Certificate or for doing work contrary to an issued Certificate is a fine not to exceed \$100.00. Each and every day that such violation continues after notification may constitute a separate offense. The City of Lincoln may also pursue the remedies of injunction, mandamus, or other appropriate action to correct a violation.**

3. Standards for Owner and Preservation Commission:

The following standards serve as a guide to the Landmark property owner in the preservation of their building. It is also intended that these Standards will aid the Commission in making decisions regarding issuance or denial of a Certificate.

When a decision on issuing or denying a Certificate is requested, the more definitive the presentation by the applicant, the easier it will be to convey and comprehend the effect of the proposed change. The owner or representative should plan to attend the public hearing to discuss the proposed work. When an application is being reviewed, it will be the responsibility of the applicant to demonstrate that the new work is compatible with these Standards.

A strict interpretation of these guidelines may be waived by the Preservation Commission if the applicant develops a design solution which meets the spirit and intent of the Historic Preservation Ordinance. In addition, although the owner of the landmark must receive Certificates for work identified above, a broader interpretation of the Guidelines for this property may be allowed by the Preservation Commission.

A. New Construction:

1. **Accessory Buildings:**
Accessory buildings shall be compatible with the design of the existing building and shall be as unobtrusive as possible. Exterior wall material shall be the same as the exterior materials of the existing buildings.

B. Alterations:

1. **Additions:** Additions shall complement the style of the structure. Additions shall not

imitate architectural styles which pre-date that of the historic structure. The appearance of the east and north facades of the building shall not be altered unless the design is sensitive to the historic and architectural character of the building. Alterations on the north and east sides should be compatible with the existing building in scale, color, texture, and the proportion of solids to voids. Materials and architectural details used in such alterations and additions shall complement those on the existing building.

2. **Roofs:** The form of the roof shall not be changed.
3. **Trim:** Changes in the existing exterior trim of the building, other than painting or repair, shall be based on physical evidence of missing features, documentation, or careful consideration of closely relevant examples, preferably drawn from Lincoln. Any replaced or repaired portions of the trim that are visible and above grade, including, but not limited to moldings, cornices, doors, and windows, shall match the original members in scale, design, and appearance. Replication of original materials is preferred; alternate materials of similar appearance will be considered on a case-by-case basis.
4. **Openings:** Original windows, doors, or hardware shall not be removed when they can be restored, repaired, and reused. If the original glass, sash, hardware, and doors cannot be repaired and retained, then they shall be replaced with new units that duplicate the original in size, material, and appearance. If necessary, replacement of these items with non-original materials may be allowed on a case-by-case basis, if their appearance is very similar to the original, and the owner presents compelling evidence comparing various alternatives.

Additional openings, or changes in the size of the existing openings, shall not be made unless the change is compatible with the style and period of the building.

Metal, vinyl, or fiberglass awnings, hoods, or shutters that would detract from the existing character or appearance of the building shall not be used.

C. Repair:

1. **Repairs in General:** Repairs in materials that duplicate the original in composition, texture, and appearance are encouraged. Repairs with new materials that duplicate the original in texture and appearance also may be permitted. Repairs in materials that do not duplicate the original appearance may be permitted on an individual basis if the repairs are compatible with the character and materials of the existing building and if repairs that duplicate the original in appearance are not available.
2. **Masonry:** The cleaning of exterior masonry shall not be done in a manner to harm or alter the original surface of the materials. Sandblasting and painting of unpainted masonry are prohibited.

D. Demolition:

The Landmark or significant portions thereof shall not be demolished except pursuant to Lincoln Municipal Code Section 27.57.150(b), Section 27.57.160, or Section 27.57.170. The moving of the Landmark is discouraged; however, moving is preferred to demolition.

E. Other:

1. Mechanical Systems:

Necessary mechanical services shall be installed in areas and spaces that require the least possible alteration to the exterior structural condition and physical appearance of the building.

Holes to accommodate air conditioners or other mechanical equipment shall not be cut through north or east walls.

Exterior electrical, television and telephone cables should be installed in places where they will be visually unobtrusive. Television antennae and mechanical equipment such as air conditioners and solar panels should be placed in as inconspicuous a location as possible. The installation of such equipment shall not adversely affect the principal elevations.

2. Signs:

Any exterior signs shall be compatible with the historic and architectural character of the building. Freestanding signs, detached from the building but not blocking vistas of principal facades, are preferred. Any street address designation shall also be compatible with the historic and architectural character of the building.

3. Fencing and Walls:

Chain link or similar security-type wire fences are prohibited in the street yards (east and north). All fencing and walls shall be compatible with the historic and architectural character of the building.

4. Paving:

New paving to create space for parking may be added, but shall be reviewed for its impact on the architectural character of the landmark. New sidewalks and drives shall be sensitive to the historic and architectural character of the building. Original walks shall be maintained.

5. Landscaping:

Original environmental features shall be maintained. Original and new plantings shall be trimmed so as to frame the architecture, rather than concealing it. New plantings and outdoor appurtenances shall be compatible with the historic and architectural character of the property.

Q:\HPC\LMARKS\GDLINES\GUIDEKappaSigma.EFZ.wpd



"jt12313"
<jt12313@ALLTEL.net>
11/05/2005 10:34 AM

To <plan@lincoln.ne.gov>
cc "Pat Anderson" <rsifuentez@neb.rr.com>
bcc

Subject CZ05076HP and SP05051 for 11/9/2005

Dear planning commissioners,

Since these items are on the consent agenda, which I have always determined as a positive sign of approval, I wanted to get the Everett Neighborhood Association's opinion on the record for these items none the less,

I am writing you today to express the Everett Neighborhood Association's strong support for change of zone 05076HP and special permit 05051 for 1141 H street.

This former fraternity house at 12th and H streets is one of the gems of the northern end of the Everett neighborhood. 1141 H sits on a block full of classic apartment houses that could be restored for offices or condo development, and their location so close to the downtown area makes this an attractive area for restoration. While the block is lacking in parking somewhat, this is a problem that could be solved by the removal of the slip-in housing that is totally out of character with the rest of the block.

That being said, I strongly urge passage of change of zone 05076HP and special permit 05051 for 1141 H street.

Sincerely yours

Jeffrey Tangeman
President, Everett Neighborhood Association